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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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			EXAMINER BRINEY III, WALTER F	
			ART UNIT 2644	PAPER NUMBER 5
DATE MAILED: 01/12/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/608,743

Applicant(s)

JERREL P. HEIN, MARIUS
GOLDENBERG.

Examiner

Walter F Briney III

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 13, 14, 19, and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-7, 9-10, 12, 15-16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosch et al. (US Patent 5,274,702) in view of Millman et al. (Integrated Electronics: Analog and Digital Circuits and Systems, Copyright 1972. Page 254, "The CB Configuration").

Claim 1 is limited in part to **a method comprising the steps of receiving an outgoing audio signal and coupling the audio signal to a subscriber line**. The Rosch reference discloses a telephone line interface circuit (i.e. **subscriber line interface circuit or SLIC**) that receives an outgoing audio signal from the central office (CO) on the receive line (figure 1, element 22), which is coupled to the subscriber line (figure 3, element 36) through a circuit with amplifier circuits (figure 3, elements 104, 106, 132, and 134). Therefore, Rosch contains all elements of the claim with the exception of **coupling the audio signal to the subscriber line with transistors coupled in the common base configuration**. Millman teaches that a transistor in common base configuration can be used in several applications, one of which is matching a low impedance source to a high impedance load. The circuit of figure 3 (Rosch) depicts amplifiers 132 and 134 connected to low impedance sources

superimposed with the receive path signal (i.e. **audio signal**) driving the tip and ring lines (i.e. **high impedance load/subscriber line**) respectively. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a plurality of transistors, coupled in the common-base configuration, for the line driving amplifiers to match a low impedance source with an audio signal superimposed on top to a high impedance load as taught by Millman.

Claim 2 is limited to **the method of claim 1**, which is covered by Rosch in view of Millman, **and further comprising the step of receiving linefeed driver control signals for controlling battery feed to the subscriber line, wherein the outgoing audio signal and the linefeed driver control signals are received on the same signal lines**. Rosch discloses a system of feedback controls generated by a sensing network (figure 2). The audio signal (i.e. **outgoing audio signal**) received by the first amplifier (figure 3, element 104) is amplified and driven to a wire pair (figure 3, element 36). The wire pair is monitored and feedback signals (i.e. **linefeed driver control signals**) are derived from the wire pair. The feedback signals are used to vary the power supplies of the wire pair drivers (figure 3, elements 132 and 134). Therefore, the control signals are essentially the audio signal received by the first amplifier, therefore, the audio signal and control signals are received on the same signal lines (column 10, lines 67-68 and column 11, lines 1-16 and column 10). Therefore, Rosch in view of Millman makes obvious all limitations of the claim.

Claim 3 is limited to **the method of claim 1**, which is covered by Rosch in view of Millman, **and in addition using BJT for the transistors coupled in common-base**

configuration. Millman describes a common-base stage amplifier as a p-n-p or an n-p-n transistor (BJT) (page 126 and figure 5-3a). Therefore, Rosch in view of Millman makes obvious all limitations of the claim.

Claim 5 is limited in part to **a method comprising the steps of receiving linefeed driver control signals and outgoing audio signals on a same plurality of signal lines.** Rosch discloses a telephone line interface circuit that comprises communication to the central office via a receive path (i.e. **outgoing audio signals**) and a commands path (i.e. **linefeed driver control signals**) (figure 1, elements 22 and 26), which constitute a same plurality of signal lines because they are multiple lines of communication all from the CO. Therefore, Rosch discloses all limitations of the claim with the exception of **providing the outgoing audio signals to a subscriber line through a common base isolation stage.** A common base isolation stage is in essence the same as coupling an audio signal to a subscriber line through a plurality of transistors coupled in a common-base configuration as disclosed in claim 1, as covered by Rosch in view of Millman. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a plurality of transistors, coupled in the common-base configuration serving as a common-base isolation stage, for the line driving amplifiers to provide a matching of impedance between a low impedance source with an audio signal, superimposed on top, and a high impedance load as taught by Millman.

Claim 6 is limited to **the method of claim 5**, which is covered by Rosch in view of Millman, **and further comprising the step of controlling a battery feed to a tip node and a ring node of the subscriber line in accordance with the linefeed driver**

control signals. Rosch discloses that the voltage supplies used in figure 3 being the CO battery voltages (i.e. **battery feed**), which provide power to the ring and tip node of figure 3 (i.e. **subscriber line**). The battery feed is controlled with the current sources, which are controlled by the power control circuitry (i.e. **linefeed driver control signals**) (column 10, lines 39-66). Therefore, Rosch in view of Millman makes obvious all limitations of the claim.

Claim 7 is limited to **the apparatus of claim 5**, which is covered by Rosch in view of Millman, **and in addition using BJT for the transistors coupled in common-base configuration.** Millman describes a common-base stage amplifier as a p-n-p or an n-p-n transistor (BJT) (page 126 and figure 5-3a). Therefore, Rosch in view of Millman makes obvious all limitations of the claim.

Claim 9 is limited in part to **a subscriber line interface circuit apparatus comprising a first circuit for coupling a received outgoing audio signal to a subscriber line.** These limitations are in essence the same as in claim 1, where an outgoing audio signal is received and coupled to a subscriber line through a plurality of transistors, as covered by Rosch. Therefore, Rosch discloses all limitations of the claim with the exception of **providing the outgoing audio signals to a subscriber line through a common base isolation stage.** A common base isolation stage is in essence the same as coupling an audio signal to a subscriber line through a plurality of transistors coupled in a common-base configuration as disclosed in claim 1, as covered by Rosch in view of Millman. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a plurality of transistors, coupled in the common-

base configuration serving as a common-base isolation stage, for the line driving amplifiers to match a low impedance source with an audio signal superimposed on top to a high impedance load as taught by Millman.

Claim 10 is limited to **the apparatus of claim 9**, which is covered by Rosch in view of Millman, **and in addition using BJT for the transistors coupled in common-base configuration**. Millman describes a common-base stage amplifier as a p-n-p or an n-p-n transistor (BJT) (page 126 and figure 5-3a). Therefore, Rosch in view of Millman makes obvious all limitations of the claim.

Claim 12 is limited to **the apparatus of claim 9**, as covered by Rosch in view of Millman, **wherein the first circuit comprises a tip control circuit, wherein the tip control circuit increases a tip node voltage in response to a first tip control signal, wherein the tip control circuit decreases a tip node voltage in response to a second tip control signal; and a ring control circuit wherein the ring control circuit increases a ring node voltage in response to a first ring control signal, wherein the ring control circuit decreases a ring node voltage in response to a second ring control signal**. Rosch discloses two circuits, one for controlling the tip line and one for controlling the ring line of a subscriber loop, each with two current sources and one signal to each source such that the node voltage increases in response to one signal and decreases in response to the other signal (figure 3; column 11, lines 24-48). Therefore, Rosch in view of Millman makes obvious all limitations of the claim.

Claim 15 is limited in part to **a subscriber line interface circuit apparatus, comprising a signal processor providing an outgoing audio signal; and a linefeed driver coupled to receive the outgoing audio signal.** Rosch discloses a transmission interface (figure 1, element 16), which provides a received audio signal (i.e. **outgoing audio signal**) through inverting amplifier circuitry that act as a signal processor (figure 3, elements 104 and 106). This signal flows into the linefeed driver circuitry (figure 3, elements 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, etc.). Therefore, Rosch discloses all limitations of the claim with the exception of **coupling the outgoing audio signal to a subscriber line through a common-base isolation stage.** A common base isolation stage is in essence the same as coupling an audio signal to a subscriber line through a plurality of transistors coupled in a common-base configuration as disclosed in claim 1, as covered by Rosch in view of Millman. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a plurality of transistors, coupled in the common-base configuration serving as a common-base isolation stage, for the line driving amplifiers to match a low impedance source with an audio signal superimposed on top to a high impedance load as taught by Millman.

Claim 16 is limited to **the apparatus of claim 15**, which is covered by Rosch in view of Millman, **and in addition using BJT for the transistors coupled in common-base configuration.** Millman describes a common-base stage amplifier as a p-n-p or an n-p-n transistor (BJT) (page 126 and figure 5-3a). Therefore, Rosch in view of Millman makes obvious all limitations of the claim.

Claim 18 is limited to **the apparatus of claim 15, wherein the first circuit comprises a tip control circuit, wherein the tip control circuit increases a tip node voltage in response to a first tip control signal, wherein the tip control circuit decreases a tip node voltage in response to a second tip control signal; and a ring control circuit wherein the ring control circuit increases a ring node voltage in response to a first ring control signal, wherein the ring control circuit decreases a ring node voltage in response to a second ring control signal.** Rosch discloses two circuits, one for controlling the tip line and one for controlling the ring line of a subscriber loop, each with two current sources and one signal to each source such that the node voltage increases in response to one signal and decreases in response to the other signal (figure 3; column 11, lines 24-48). Therefore, Rosch in view of Millman makes obvious all limitations of the claim.

Claims 4, 8, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosch in view of Millman as applied to claims 1, 5, 9, and 15 above, and further in view of Spanos (<http://www-inst.eecs.berkeley.edu/~ee105/fall99/lectures/lectw10.pdf>).

Claim 4 is limited to **the method of claim 1, and as covered by Rosch in view of Millman.** Therefore, Rosch in view of Millman makes obvious all limitations of the claim with the exception of **a FET wherein the common-base configuration is a common-gate configuration.** Spanos teaches the analog nature between common-base and common-gate amplifiers, such that their input and output impedances are similar making them ideal for connecting low impedance sources to high impedance loads as

described in claim 1. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a plurality of FETs, coupled in the common-gate configuration, for the line driving amplifiers to match a low impedance source with an audio signal superimposed on top to a high impedance load as taught by Spanos.

Claim 8 is essentially the same as claim 4 and is rejected for the same reasons.

Claim 11 is essentially the same as claim 4 and is rejected for the same reasons.

Claim 17 is essentially the same as claim 4 and is rejected for the same reasons.

Allowable Subject Matter

Claims 13 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 13 is limited in part **to the linefeed driver of claim 12**, and as covered by Rosch in view of Millman, Therefore, Rosch in view of Millman discloses all limitations of the claim with the exception of **the tip control circuit comprising a first transistor of a first type having an emitter coupled to receive the first tip control signal; a second transistor of the first type having an emitter coupled to receive the second tip control signal, wherein a base of each of the first and second transistors is coupled to a first node as a signal ground; a third transistor of a second type having a collector coupled to a collector of the first transistor and an**

emitter coupled to a second node; a resistor having a first end coupled to the second node, a second end of the resistor coupled to a base of the third transistor and a collector of the second transistor. As such, the prior art neither anticipates nor makes obvious the circuit configuration claimed; therefore, claim 19 is allowable matter.

Claim 19 is limited in part **to the linefeed driver of claim 18**, and is covered by Rosch in view of Millman. Therefore, Rosch in view of Millman discloses all limitations of the claim with the exception of the tip control circuit comprising **a first transistor of a first type having an emitter coupled to receive the first tip control signal; a second transistor of the first type having an emitter coupled to receive the second tip control signal, wherein a base of each of the first and second transistors is coupled to a first node as a signal ground; a third transistor of a second type having a collector coupled to a collector of the first transistor and an emitter coupled to a second node; a resistor having a first end coupled to the second node, a second end of the resistor coupled to a base of the third transistor and a collector of the second transistor.** As such, the prior art neither anticipates nor makes obvious the circuit configuration claimed; therefore, claim 19 is allowable matter.

Claim 14 is allowable matter due to dependence from claim 13.

Claim 20 is allowable matter due to dependence from claim 19.

Response to Arguments

Applicant's arguments filed 3 November 2003 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Rosch disclosed line-driving amplifiers but did not disclose any details to the structure of the amplifiers. Millman teaches that transistors coupled in a common-base configuration are ideal for interfacing low-impedance sources such as analog voice signals to high-impedance loads such as transmission lines. The use of transistors to implement an amplifier is well-known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the line driving amplifiers of Rosch with transistors configured in a common-base configuration for the purpose of interfacing a low-impedance source to a high-impedance load.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does

not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

The applicant alleges that **the outgoing audio signal is not superimposed on any of the control signal lines 154, 156, 162, or 164 carrying control currents**; the examiner agrees. However, this allegation was not part of the examiner's rationale for rejection, therefore the argument is moot. The applicant further alleges that **the audio signals and linefeed control signals are clearly carried by distinct signal lines**; the examiner respectfully disagrees. First, Rosch discloses deriving his current control signals from the output of his line drivers so that the control signals are derived from the audio signals. Therefore, the audio signals and control signals are related, and both are received on the same lines. Second, as the invention is claimed, there is no language stipulating that the audio signals and control signals are superimposed on the same lines, they are merely received upon wires that are categorized together, perhaps from a single control source.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

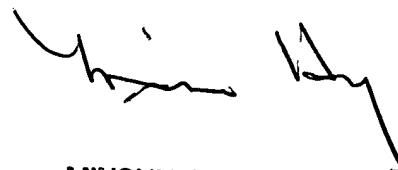
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F Briney III whose telephone number is 703-305-0347. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

WFB
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